



County of Los Angeles **CHIEF EXECUTIVE OFFICE**

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

April 15, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: AMENDMENT 2 TO LANDSCAPE
MAINTENANCE – FLOOD CONTROL DISTRICT'S SOUTH AREA
(SUPERVISORIAL DISTRICTS 1, 2, AND 4)
(3 VOTES)**

SUBJECT

This action is to approve an amendment to the contract for landscape maintenance in the Flood Control District's South Maintenance Area to expand the service area and to increase the contract's annual not-to-exceed amount.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that this service continues to be more economically performed by an independent contractor than by County employees.
3. Approve Amendment 2 to Contract No. 75407 with United Pacific Services, Inc., located in La Habra, California, for Landscape Maintenance - South Area to expand the level of service to include the Wetlands Projects located on the east and west sides of the Los Angeles River from Del Amo Boulevard south to the 405 Freeway, for the current and final option year, increasing the annual not-to-exceed amount from \$783,419 to \$861,851 and commencing upon your Board's approval through October 17, 2008.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

4. Authorize the Acting Director of Public Works or his designee to approve and execute amendments to incorporate necessary changes within the scope of work and to suspend work if, in the opinion of the Acting Director of Public Works, it is in the best interest of the Los Angeles County Flood Control District to do so.
5. Direct the Chair to execute the amendment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to amend Contract No. 75407 with United Pacific Services, Inc., for additional landscape maintenance services, which expand the service area to include the Wetlands Projects located on the east and west sides of the Los Angeles River from Del Amo Boulevard south to the 405 Freeway.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1), Organizational Effectiveness (Goal 3), and Fiscal Responsibility (Goal 4). Having a contractor that has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive and cost-effective manner will support the Department of Public Works (Public Works) in meeting these goals.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. The total cost of this amendment will increase the contract's annual maximum sum from \$783,419 to \$861,851 (an addition of \$13,072 monthly) for the current and final option year ending October 17, 2008. In addition, the Acting Director of Public Works may increase the annual contract amount by up to 15 percent to cover dump fees and any unforeseen, additional work within the contract's scope of work. Financing for this additional service is available in the Fiscal Year 2007-08 Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The attached amendments have been executed by the contractor and approved as to form by County Counsel.

Your Board approved this contract on October 18, 2005, Agenda Item 27. The contract was for an initial one-year period with two 1-year renewal options for a total contract period of three years. The contract was amended in September 2007 to include the approved increase in the living wage hourly rates for the second and final option year.

Using methodology approved by the Auditor-Controller, Public Works has calculated the cost-effectiveness of contracting for this service. Based on the cost calculations, Public Works has determined that this service continues to be more economically performed by an independent contractor than by County employees.

Since this is a Proposition A contract, Public Works has determined that the contractor continues to comply with the requirements of the Living Wage Program (Los Angeles County Code Chapter 2.201) and agrees to continue to pay its full-time employees providing County services a living wage.

ENVIRONMENTAL DOCUMENTATION

This service continues to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA). These additional services are within a class of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15301 (c) and (h) of the CEQA Guidelines and class 1(j) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix 6. In addition, the proposed service will not be performed in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors which would make the exception inapplicable based on the project record.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the amendment will continue the current contract services.

The Honorable Board of Supervisors
April 15, 2008
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CONCLUSION

Please return one adopted copy of this letter, along with the Contractor Execute and Department Conform copies, to the Department of Public Works, Administrative Services Division. The original Board Execute copy should be retained for your files.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WTF', followed by a stylized flourish.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DDE
GZ:dw

Attachments (3)

c: County Counsel
Office of Affirmative Action Compliance
Department of Public Works (Flood Maintenance)

AMENDMENT 2 TO CONTRACT NO. 75407LANDSCAPE MAINTENANCE - SOUTH AREA

THIS AMENDMENT, made and entered into as of this 15th day of APRIL, 2008, by and between the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as DISTRICT), and UNITED PACIFIC SERVICES, INC., a California corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75407 was entered into between the DISTRICT and the CONTRACTOR on October 18, 2005, for Landscape Maintenance - South Area for a period of one year through October 17, 2006, with two 1-year renewal options; not to exceed a total contract period of three years, plus a final contract year month-to-month extension of up to six months; and

WHEREAS, this Contract was renewed by the DISTRICT on October 18, 2006, for the first option year; and

WHEREAS, On October 18, 2007, this Contract was amended to include the revised Living Wage Program's hourly rates and to increase the annual contract maximum amount to reflect the revised Living Wage Program's Hourly rates; and

WHEREAS, on October 18, 2007, the DISTRICT renewed this Contract for the second and final option year; and

WHEREAS, the DISTRICT now desires to expand the level of services to include landscape services of the Wetlands Projects located on the East and West sides of the Los Angeles River from Del Amo Boulevard South to the 405 Freeway; and

WHEREAS, the CONTRACTOR is willing to perform landscape maintenance service in an extended service area under all terms set forth in this Contract, as amended.

NOW, THEREFORE, in consideration of these facts and payment to be made by the DISTRICT, the DISTRICT and the CONTRACTOR agree that Contract No. 75407 between them shall be amended as follows:

FIRST: This Contract is hereby amended to provide that the CONTRACTOR shall perform landscape maintenance service for the following additional extended service area, commencing upon Board approval through October 17, 2008:

- The landscape area of Wetlands Projects located on the East and West sides of Los Angeles River from Del Amo Boulevard South to the 405 Freeway.

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SECOND: The monthly cost for providing these additional landscape maintenance services will be \$13,072 per month, increasing the annual not-to-exceed amount from \$783,419 to \$861,851 for current contract term, or such greater sum as the Board may approve.

THIRD: Form LW-8, Cost Methodology, is reflected in the Attachment, to this AMENDMENT, for the extended service areas for the optional year.

FOURTH: Exhibit B, Section 3.V.2, Changes and Amendments of Terms, of the contract is hereby amended to include the following:

- For any revision which materially affects the scope of work, period of performance, payments, or any material term or condition included in this Contract, a negotiated modification to this Contract shall be executed by the Board and the Contractor or if delegated by the Board, the Director and the Contractor.

FIFTH: Except as modified by Amendment I and this AMENDMENT, all other terms, conditions, requirements, and specifications of Contact No. 75407 to shall remain in full force and effect.

[illegible]

IN WITNESS WHEREOF, the DISTRICT has, by order of its Board of Supervisors, caused these presents to be subscribed by the Chair of said Board and the seal of said Board to be affixed and attested by the Clerk thereof, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.



ATTEST:

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

By

Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By

Deputy

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

42

APR 15 2008

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

LOS ANGELES COUNTY FLOOD
CONTROL DISTRICT

By

Chair, Board of Supervisors

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Directors

By

Deputy

UNITED PACIFIC SERVICES, INC.

By

Its President

Gus K. Franklin

Type or Print Name

By

Its Secretary Assistant

Eric L. Franklin

Type or Print Name

75407 Amendment No. 1

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Orange

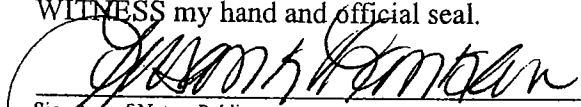
On 03/21/08 before me, Susan K. Franklin, Notary Public
(Here insert name and title of the officer)

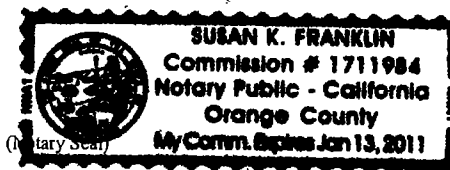
personally appeared Gus K. Franklin and Eric L. Franklin

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature of Notary Public



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Amendment 2 to Contract 75407

(Title or description of attached document)

Landscape Maintenance South Area

(Title or description of attached document continued)

Number of Pages -3- Document Date No
Date

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☒ Corporate Officer
President
(Title)
☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

COST METHODOLOGY FOR CONTRACT: Landscape Maintenance for the Dominguez Gap Grounds Wetlands (2006-AN027) FORM LW-8

PROPOSER: United Pacific Services, Inc.

[illegible]

- All employees shown must be **FULL-TIME** employees of the proposer, unless exemption to use Part-Time employees has been granted by the County.

Minimum cost for health insurance is \$2.20/hour if hourly wage rate is between \$9.64 and \$11.84, unless exemption from Living Wage requirements

THE BEST GINGERBREAD HOUSE CONTEST.


This cost methodology is to show, in detail, how the Proposer arrived at the proposed contract price. This methodology is to reflect employee classifications

to be used (e.g., landscape maintenance laborer, working supervisor, etc.); hours to be worked daily, weekly, and annually by each classification; hourly and annual wages to be paid to each classification; estimated annual payroll taxes; estimated annual allowances for vacation, sick, holiday, health and welfare, and pension. Proposer's costs for insurance, supplies, equipment, overhead, and any other miscellaneous costs are to be shown as requested. These costs, plus the gross labor costs and projected profit, should total to the Proposer's annual price as quoted in Form PW-2, Schedule of Prices.

P:\CONTRACTS\REVISED COST METHODOLOGY.XLS

Gus K. Franklin, President

Name of Proposer


Signature

March 6, 2008

Date _____



UNITED PACIFIC SERVICES, INC.

120 E. La Habra Blvd., Suite 107
La Habra, CA 90631
(562) 691-4600 office (562) 691-8839 fax

ESTIMATE / AGREEMENT

DATE: March 06, 2008

To County of Los Angeles - Division of Flood Maintenance - Attention: Steve Lipka

Landscape Maintenance for the Dominguez Gap Spreading Grounds Wetlands Project (2006-AN027)

United Pacific Services, Inc. proposes to furnish all materials and perform all labor necessary to complete the following:

Supply a two man landscape maintenance crew to maintain the Wetlands Project (2006-AN027) located on the East and West side of the L.A. River from Del Amo Blvd. south to the Metro Line.

Maintenance duties:

- 1.) Maintain the irrigation system, remove large weeds, paper, debris /paper in water area at bottom of spreading grounds, maintain roadways, perform routine landscape maintenance functions including monitoring and removing graffiti and emptying trash cans. Monitor and maintain the slopes.
- 2.) Two man crew shall work a minimum of 40 hours per week at 38.00 per hour.
Costs: 2 men x 40 hours per week x 4.3 weeks in the month = 13,072 per month
- 3.) Any irrigation repair caused by vandalism or failure of the irrigation system will be billed at \$55.00 per hour on an as needed basis by change order.
- 4.) Routine maintenance of the irrigation system is included in the landscape maintenance hourly rate.
- 5.) This agreement can be canceled by either party with a 30 day notice.

All of the above work to be completed in a substantial and workmanlike manner according to standard practices for the sum of: **Thirteen Thousand seventy-two dollars and no/100's (\$13,072.00)**

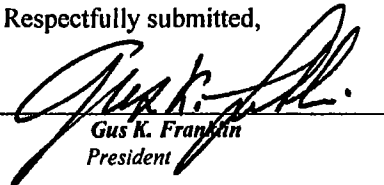
Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed upon written agreement by both parties, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing.

Contractors are required by law to be licensed and regulated by the Contractor's State License Board. Any questions concerning a contractor may be referred to the registrar of the board whose address is:

Contractor's State License Board
1020 N Street,
Sacramento, California 95814

Respectfully submitted,

By


Gus K. Franklin
President

Contractor's State License No. 790590

ACCEPTANCE

You are hereby authorized to furnish all materials and labor required to complete the work mentioned in the above proposal, for which L.A. County agrees to pay the amount mentioned in said proposal, and according to the terms thereof.

ACCEPTED _____

Date: _____

DIETZ HYDROSEEDING CO.

15745 KADOTA STREET SYLMAR, CA 91342

FEDERAL TAX I.D. NO. 95-3982102

STATE LICENSE NO. 493207 C27

(818)364-7333
FAX (818) 364-7337

(714) 532-6860
FAX (714) 279-9463

February 28, 2008

Mr. Gus Franklin
UNITED PACIFIC SERVICES, INC.
120 East La Habra Blvd.
La Habra, CA 90631

RE: LOS ANGELES RIVER - HYDROSEEDING AREAS

Dear Mr. Franklin:

Per your request and our meeting at the above mentioned site last Friday, February 22, 2008, the following are my comments and recommendations:

Comments:

The areas that were hydroseeded have excellent germination throughout the site. The east-facing slopes have more mature growth than the west-facing slopes, likely due to earlier germination because of the higher ground temperatures caused by direct morning sunlight. There is a minimum amount of weed growth which shows an effective pre-seeding weed control program was implemented. There was also significant soil moisture due to irrigation and recent rainfall.

There are also areas that have minor washouts and rills. The vast majority of these areas appear to have been caused by water flow from above the slope faces. Water on the upper roadways where there is no curbing is collecting and flowing over the face of the slopes and causing washouts.

Recommendations:

It appears that the irrigation can be significantly reduced or shut down. The majority of the seeded material appears to have germinated so heavy surface watering is no longer required. Reduction or elimination of the watering will reduce the moisture level in the soil which will benefit the container planted material which will suffer if over-watered, as well as help with the washout areas.

Steps should be taken to eliminate the water flow from above the slopes. Curbing, creating a berm or even sandbagging would direct the water to the proper drains and stop the water from flowing down the slope face. Once this is corrected, the areas that have washed out should be repaired and re-seeded.

The small amount of weeds should be hand pulled. I recommend that the plants from the hydroseeding mix be identified to the personnel who will be working on the slope so that only the unwanted weeds are removed.

Please feel free to call if you have any further questions.

Very truly yours,
DIETZ HYDROSEEDING CO.

Ronald Dietz, President